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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,484	03/07/2001	Raymond M. Broemmelsiek	C4-971C	4741

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IP LEGAL DEPARTMENT  
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EXAMINER

PARSONS, CHARLES E

ART UNIT	PAPER NUMBER
	2613

DATE MAILED: 11/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/801,484	BROEMMELSIEK, RAYMOND M.
<b>Examiner</b>	<b>Art Unit</b>	
Charles E Parsons	2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is FINAL.                  2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.
- 4) Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-26 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:  
    1. Certified copies of the priority documents have been received.  
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
  a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                    | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                           | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2,4</u> . | 6) <input type="checkbox"/> Other: _____                                     |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Ito PN 6,445,409.

Claim 1, 11: A method for detecting a moving object of interest, having a characteristic with a predetermined value, in a field of view of a motion video camera using a video signal received from the motion video camera, said method comprising the steps of: receiving an object qualifying parameter representative of the characteristic with the predetermined value of the moving object of interest; (See Column 12 lines 26-28) detecting moving objects to determine the value of the characteristic of the moving object of interest for each detected moving object; ( See Column 13 lines 6-18) determining if a value of the characteristic for each detected moving object is within a predefined tolerance of the predetermined value of the moving object of interest; (See Column 22 lines 36-48) and generating an indication of detected moving objects having the value of the characteristic within the predefined tolerance. (See column 22 lines 60-64)

Claim 2, 9, 12, 19, 22, 25: The method of claim 1 further including the step of receiving an indication of a selected monitoring area in said field of view and wherein said step of

detecting is performed in said monitoring area. (See figure 4 as well as column 22 lines 64-68)

Claim 3, 8, 13, 18: The method of claim 1 wherein, said object detection parameter is selected from the group consisting of color, velocity, position, acceleration, and size. (See Ito column 10 line 57 through column 11 line 3)

Claim 4, 14, 21, 23: A method for reducing information in a video signal having a plurality of frames received from a motion video camera with a field of view, wherein each of said frames has a data set, said method comprising:

detecting moving objects in the field of view of the motion video camera; (See Ito figure 6)

selecting objects of interest from said detected moving objects; (See Ito column 4 lines 13-32)

and creating a data set for each frame of the plurality of frames in the video signal based on detected moving objects. (See Ito column 5 lines 53-57, Histograms are data sets.)

Claim 5, 15, 24: The method of claim 4 further including the steps of: receiving an object qualifying parameter representative of a characteristic of a predetermined value of a moving object of interest; (See column 12 lines 26-28)

determining the value of the characteristic of the moving object of interest for each object of interest; (See Column 13 lines 6-18)

determining if a value of the characteristic for each detected moving object is within a predefined tolerance of the predetermined value of the moving object of interest; (See Ito column 22 lines 26-48) and

wherein the step of selecting includes the step of automatically selecting detected moving objects having the value of the characteristic within the predefined tolerance. (See column 22 lines 66-64)

Claim 6, 16. The method of claim 4 wherein the step of selecting object definitions includes receiving an indication of at least one selected object of interest. (See figure 4 as well as column 22 lines 64-68)

Claim 7, 17. The method of claim 4 wherein the step of creating said data set includes the steps of: determining if a current frame of the plurality of frames contains at least one selected object of interest; if said current frame contains at least one selected object of interest, generating a data representation of said at least one selected object of interest and associating said data representation with said data set of said current frame; and if said current frame does not contain at least one selected object of interest, marking said data set for said current frame as empty. (See Ito column 18 lines 16-33)

Claim 10, 20, 26. The method of claim 4 wherein the step of creating a data set includes the steps of: determining a present position and velocity of each selected object of interest; and predicting a future position of each selected object of interest based on said present position and velocity. (See Ito column 10 lines 40-56)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Parsons whose telephone number is 703-305-3862. The examiner can normally be reached on M-TH 7AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 703-305-4856. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Art Unit: 2613

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

CEP

ANDY BAO  
PRIMARY EXAMINER